



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

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Executive Secretary

No. 78/81

May 5, 1978

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 16

In compliance with your Legislative Committee's proposal that you be informed of the various property tax bills and amendments being proposed in the State Legislature, we submit to you those measures introduced or amended recently that have reached our office.

We are including only those bills or constitutional amendments that we feel are of importance to you as an assessor. Bills concerning the functions of the tax collector, auditor, and other county or special district officials will usually be excluded.

Copies of bills and amendments introduced may be obtained by placing orders with the Legislative Bill Room (State Capitol, Room 1149, Sacramento, 95814).

ASSEMBLY BILLS

No. 2149 - Amended April 27, 1978

An act to amend Section 7149 of the Fish and Game Code, to amend Sections 39026.5 and 43654 of the Health and Safety Code, to amend Section 5011 of the Public Resources Code, as amended by Chapter 784 of the Statutes of 1977, to amend Sections 20504, to add Section 20504.3 and to amend Sections 20514, 20561, 20585 and 20621 of the Revenue and Taxation Code, as added by Chapter 1242 of the Statutes of 1977, and to add Section 9313 to the Welfare and Institutions Code, relating to benefits for senior citizens.

Existing law, including the Senior Citizens Property Tax Assistance Law, bases eligibility for certain senior citizens benefits upon the total household income of all household members.

This bill would base eligibility for such benefits upon the total personal average household income of the recipient and, in those cases where the spouse of the recipient lives with the recipient, the personal income of such spouse.

No. 2336 - Amended April 20, 1978

An act to amend Sections 6402 and 6420 of 5450, 6400, 6402, 6420, 6440, 6441, and 10600.1 of, and to add Section 6441.5 to, the Streets and Highways Code, relating to the Improvement Act of 1911 improvement acts.

(1) Under the Improvement Act of 1911 require, unpaid assessment of less than \$50 are required to be collected on the tax roll or as a cash assessment.

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ASSEMBLY BILLS (Contd.)No. 2336 - (Contd.)

This bill would require unpaid assessment of the specified amount over \$50 less than \$150 to be so collected in such a manner if a legislative body adopts an ordinance establishing an amount over \$50.

(2) Under the act, bond principal payments are due and payable on October 15th.

The bill would require, for bonds issued on and after January 1, 1979, with the exception discussed in (3) below, that the bond principal payments are due and payable on April 15th also.

(3) Under the act, bond interest payments are due and payable on April 15th and October 15th.

The bill would authorize the legislative body, for bonds issued on and after January 1, 1979, by resolution or ordinance, in authorizing the issuance of the bonds, to require that the principal and interest payments be due and payable each April 15th or October 15th if the initial bond principal is \$500 or less.

(4) Under the Municipal Improvement Act of 1913, in cases where bonds are to be issued pursuant to the Improvement Act of 1911, assessments under \$50 not paid within 30 days of recordation are delinquent and bear a penalty interest rate of 1% per month from the date of the bonds.

The bill would increase that amount to \$150.

(5) The bill would make other related changes.

No. 2525 - Amended April 26, 1978

An act to amend Section 5 of Chapter 476 of the Statutes of 1977, relating to providing property tax assistance on nonirrigated land used for producing feed for livestock or planted crops in areas declared to be in a state of disaster by reason of drought conditions, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Chapter 476 of the Statutes of 1977, among other things, provided for state assistance for property taxes to owners or lessees of nonirrigated land in an area declared to be in a state of disaster due to the drought if such owners or lessees ~~meet~~ met specified requirements and ~~make~~ made application for such assistance on or before December 15, 1977.

This bill would authorize such assistance for qualified owners and lessees meeting such qualifications if they make application for such assistance during the period commencing ~~April~~ May 1, 1978, and ending ~~April 30~~ May 31, 1978, inclusive, and would provide for the proration of such assistance, if the total amounts of assistance exceed the total amount appropriated.

Chapter 476 of the Statutes of 1977 also appropriated \$10,000,000 from the State General Fund to provide such assistance.

This bill by extending the filing period, would make additional expenditures possible from such appropriation.

This bill would take effect immediately as an urgency statute.

No. 2530 - Amended April 26, 1978

An act to ~~add and repeal~~ Section 41815 of the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Under the law as it existed until October 1, 1977, a school district could report more than one unit of average daily attendance for pupils enrolled in certain specified vocational education classes.

ASSEMBLY BILLS (Contd.)No. 2530 - (Contd.)

This bill would permit a school district which claimed average daily attendance pursuant to such provisions in the 1976-77 fiscal year to claim such attendance in the 1977-78 fiscal year as well.

This bill would take effect immediately as an urgency statute.

No. 2649 - Amended April 25, 1978

An act to amend Section 66424 of the Government Code, relating to subdivision of land.

The Subdivision Map Act defines "subdivision" as the division of any unit or units of land shown on the latest county assessment role as a unit or contiguous units, where the division is for the purpose of sale, non-agricultural lease, or financing. Present law specifically declares that property shall be considered as contiguous units even if it is separated by roads, streets, utility easements, or railroad rights-of-way.

This bill would revise such definition to specify that property shall ~~not~~ be considered as contiguous units even if it is separated by public roads, streets, highways, or canals or by utility easements or railroad rights-of-way ~~or by any right-of-way which is owned in fee by someone other than the owner deemed contiguous if separated by utility easements.~~ The bill would also provide that property so divided, except property divided by utility easements, shall be deemed separate and distinct parcels for purposes of the Subdivision Map Act. The bill would thereby cause such land divisions by operation of law on January 1, 1979, the effective date of this bill.

No. 2663 - Amended April 27, 1978

An act to amend Section 408 of the Revenue and Taxation Code, relating to taxation, ~~and making an appropriation therefor.~~

Existing law requires a county assessor to disclose information, furnish abstracts or permit access to all records in his office to specified local and state officers and agents.

This bill would require that a county assessor also disclose information, furnish abstracts or permit access to such records to inheritance tax referees.

This bill would also ~~appropriate an unspecified amount to the Controller for allocation and disbursement to~~ provide that there shall be no reimbursement of local agencies for costs incurred by them pursuant to this act for specified reasons.

No. 2705 - Amended April 24, 1978

An act to add ~~Sections 11 and 12 to the Education Code, to add Sections 16101.5, 29100.8, 43004.5, and 50286 to the~~ Section 11 to the Education Code, to amend Sections 29100, 50286, and 51511 of, and to add Sections 16101.5 and 43004.5 to, the Government Code, to amend Section 33328 of, and to add Section 33670.5 to, the Health and Safety Code, to amend Sections 205.5, 218, 273.5, 275, 276, 401, ~~437~~ 435, 619, 619.2, 722, 1606, 1637, 2611.5, 2905, 4836.5, 11251, ~~11401, 20542, and 20543~~ and 11401 of, and to add Sections ~~37, 38, 111, 155.01, 155.02, 201.1, 401.1, 2260.5, and 2260.6 to, the Revenue and Taxation Code, and to add Sections 22 and 23 to the Welfare and Institutions Code,~~ to add Sections 135 and 2260.5 to, the Revenue and Taxation Code, and to add Section 22 to the Welfare and Institutions Code, relating to property taxation and making an appropriation therefor.

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ASSEMBLY BILLS (Contd.)No. 2705 - (Contd.)

Under existing law all property subject to general property taxation is annually assessed at 25% of its full cash value.

This bill would require such assessments be at full cash value for the 1980-81 fiscal year and fiscal years thereafter and would require local agencies to adjust their property tax rates so that they will receive no additional revenue by reason of the change in the method of assessment.

The bill would make related and conforming changes and would appropriate an unspecified amount to the State Controller to reimburse local agencies for costs incurred by them by reason of the bill.

No. 2810 - Amended April 27, 1978

An act to add Chapter 3.2 (commencing with Section 50670) to Division 1 of Title 5 of the Government Code, relating to business improvement districts.

Nothing in present law authorizes counties and cities to finance public improvements necessary to enable the location of businesses by means of an allocation of tax revenues similar to the so-called "tax-increment" method of financing redevelopment.

This bill would authorize counties and cities, with the consent of affected taxing agencies, to establish business improvement districts for ~~such purpose~~ financing prescribed public improvements and to issue bonds payable from a prescribed portion of the tax revenues produced by real property within the district. The term of the bonds would be limited to 5 years, but the tax allocation could be extended for 2 years more if necessary to pay principal and interest thereof.

The bill would not be operative unless Assembly Constitutional Amendment No. //// 78 is enacted and approved by the voters.

No. 2867 - Amended April 26, 1978

An act to amend Sections 33327, 33328.4, and 33457 of the Health and Safety Code, and to amend Sections 155.14, 211, 214, 221, 251, 254, 255, 325, 531.6, 619, 1605, 1819, ~~5096~~, 11319, and 11354 of, and to repeal Sections 254.6 and 259.6 of, the Revenue and Taxation Code, relating to property taxation.

Existing law requires a redevelopment agency to notify local agencies and the State Board of Equalization of certain changes in the boundaries of a proposed redevelopment project.

This bill would specify the period of time within which such notification must be made.

Under existing law, the State Board of Equalization is authorized to charge a fee for the preparation of certain redevelopment plans and boundary changes.

This bill would authorize the State Board of Equalization to charge a fee for providing certain mapping services.

Under existing law, a possessory interest in certain government land, which is subject to taxation, may be reassessed if, after the lien date, the right to enter the land has been suspended due to misfortune or calamity.

This bill would require the local assessor to provide the last known assessee of such possessory interest with an application for reassessment.

ASSEMBLY BILLS (Contd.)No. 2867 - (Contd.)

Under existing Private Car Tax Law, the tax resulting from certain estimated and escaped assessments and jeopardy assessments bears interest at the rate of $\frac{1}{2}\%$ per month.

This bill would increase such interest rate.

This bill makes technical changes to various provisions of statutory law relating to taxation.

No. 2949 - Amended April 24, 1978

An act to amend Sections 216 and 1001 of, and to add Sections 224.2 and 224.4 to, the Public Utilities Code, relating to liquefied petroleum gas, and making an appropriation therefor.

Existing law does not regulate the production, processing, storage, transmission, delivery, or furnishing of liquefied petroleum gas as a public utility operation.

This bill would define "liquefied petroleum gas corporation" and would declare such corporations, where the service is performed or the commodity furnished to or for the public or any portion thereof, to be public utilities subject to the jurisdiction and control of the Public Utilities Commission. It would also require a certificate of public convenience and necessity for the operation of a liquefied petroleum gas corporation. It would also state certain legislative findings and declarations in connection with these provisions.

This bill would appropriate an unspecified amount to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

No. 2955 - Amended April 20, 1978

An act to amend Sections 41760.5, 42238, and 84730.5 of the Education Code, to amend Sections 27423 and 51117 of the Government Code, and to amend Sections ~~38904~~ 38303, 38904, and 38905 of the Revenue and Taxation Code, relating to timber taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Existing law provides for the special assessment of timberlands for purposes of property taxation and imposes a yield tax on timber.

This bill would prescribe community college districts and school districts apportionments respecting timber yield taxes and would permit specified allocations from the State Timber Tax Reserve Fund.

The bill would take effect immediately as an urgency statute.

No. 2974 - Amended April 27, 1978

An act to add Section 999 to the Revenue and Taxation Code, relating to property taxation, and making an appropriation therefor.

Under existing law, property is most generally assessed for purposes of property taxation at its value on the first day of March of each year, and a tax is then imposed on such property for the entire fiscal year which follows such assessment. Thus, a person with a taxable possessory interest in tax-exempt property on the first day of March would be liable for a property tax on such interest for the following fiscal year, even though such person may not occupy the premises for any part of such fiscal year.

ASSEMBLY BILLS (Contd.)No. 2974 - (Contd.)

This bill, contingent upon approval by the voters of ~~an unspecified~~ Assembly Constitutional Amendment No. 82 of the 1977-78 Regular Session, would establish procedures for collecting property taxes on possessory interests ~~as a part of~~ at the same time as the rent ~~and~~, would provide that ~~no~~ that the owner of the possessory interest would be liable for such taxes ~~would be due when premises are vacant~~ for that portion of the year such owner had such possessory interest, and would authorize the refund of any overpayment of such taxes.

The bill would require the State Controller to report to the Legislature on the amount of property tax revenues lost by reason of this new procedure in order that the Legislature may appropriate funds to compensate local government for such losses. Moreover, the bill would appropriate an unspecified amount from the State General Fund to the State Controller for allocation to local government for costs mandated by the bill.

No. 2979 - Amended April 24, 1978

An act to amend Sections 65302, 65860, 66453, and 66499.37 of, and to add Sections 65302.9, 65860.5, 65864, 66412.5, 66473.6, and 66499.38 to, the Government Code, to amend Section 39601 of, to add Section 51350.5 to, and to add Division 32 (commencing with Section 54000) to, the Health and Safety Code, to amend Sections 21000 and 21001 of, and to add Section 21080.2 to, the Public Resources Code, to add Section 17041.7 to, and to add Chapter 2.6 (commencing with Section 23450) to Part 11 of Division 2 of, the Revenue and Taxation Code, and to amend Section 1,142 of, and to add Section 1259 to, the Water Code, relating to housing, and making an appropriation therefor.

(1) Present law requires counties and cities to adopt general plans containing, among other things, an element on housing.

This bill would revise the requirements for the housing element, limit the grounds for challenging general plans and amendments thereto, and specify that a zoning ordinance shall not be found to conflict with the general plan solely because the general plan fails to conform to state guidelines for the preparation thereof. This bill would specify planning policies for local government with respect to development of housing.

(2) Nothing in present law requires a county zoning ordinance or subdivision approval to comply with a city's general plan.

This bill would enact such requirements with respect to territory outside a city meeting prescribed criteria and located within the city's sphere of influence, as determined by the local agency formation commission.

(3) Nothing in present law authorizes administrative appeals to a state agency with respect to matters involving local subdivision approvals.

This bill would make an appeal to the Secretary of the Business and Transportation Agency a prerequisite to judicial action challenging such local action on the basis of specified housing policy set forth in the bill.

(4) The law does not presently require that standards and regulations of the State Air Resources Board, state policy for water quality control, and water quality objectives of regional water quality control boards give recognition to state housing policy.

ASSEMBLY BILLS (Contd.)No. 2979 - (Contd.)

This bill would enact such a requirement, and would require consideration of a prescribed state housing goal by the State Water Resources Control Board, when acting upon applications to appropriate water.

(5) Present state law does not grant priority in the provision of assistance to counties and cities having housing assistance plans adopted pursuant to the federal Housing and Community Development Act of 1974.

This bill would require such priority in making loans under the California Safe Drinking Water Bond Law of 1976 and in the development of regional transportation plans and guidelines of the California Transportation Commission for the preparation of state and regional transportation improvement programs.

(6) The California Environmental Quality Act does not presently contain a specific exemption for construction of housing in urban areas.

This bill would exempt the construction of housing in urban areas from the requirements of such act if consistent with a local general plan, specific plan, or redevelopment plan. This bill would also revise the policy declarations contained in such act.

(7) Nothing in present law authorizes the Secretary of Business and Transportation to make grants to local governmental entities for activities directly related to the development of housing for persons of low or moderate income.

This bill would authorize such a grant program, prescribe eligibility criteria, and an allocation formula. The bill would establish a Housing Development Grant Fund, which would be continuously appropriated to the Business and Transportation Agency to fund such program.

(8) Nothing in present law requires state or local government surplus lands to be made available on a priority basis for housing for persons and ~~facilities~~ families of low or moderate income.

This bill would provide that excess lands of the Department of Transportation and surplus lands of local agencies be made available on a priority basis for such purpose. Also, the bill would authorize local governmental agencies to petition state agencies to declare state lands surplus and to sell such land to the petitioning local governmental agency for the development of housing.

(9) Nothing in present law specifically authorizes the conduct of a state rental-subsidy program in connection with the development of privately owned rental housing for persons of low or moderate income.

This bill would authorize such a program, to be administered by the California Housing Finance Agency pursuant to contracts with private developers of housing under which housing would be developed on land leased to the developer by the agency, and a specified proportion of the units developed would be allocated to eligible tenants with rents subsidized by the agency from amounts paid by the developer under the land lease. The agency would be empowered to issue an additional \$200,000,000 of revenue bonds for purposes of this program.

(10) Under the Zenovich-Moscone-Chacon Housing and Home Finance Act, the California Housing Finance Agency is empowered to issue not more than \$450,000,000 in revenue bonds, excepting refunding and renewal bonds.

ASSEMBLY BILLS (Contd.)No. 2979 - (Contd.)

This bill would expand the bonding authority of the agency by an unspecified amount in addition to the new bonding authority described in (9) above.

(11) Present law prohibits discrimination in the rental of housing in various cases.

This bill would prohibit ~~discrimination in the rental~~ termination of a housing tenancy based on the age of the tenant ~~or prospective tenant~~ or the presence of children in his or her household, unless the housing is unsafe for the tenant or the tenant's children.

(12) Nothing in present state law specifically authorizes or proscribes the imposition of residential rent controls by local jurisdictions.

This bill would ~~declare the intent of the Legislature to~~ prescribe the conditions under which such rent controls may be imposed.

(13) Nothing in state law authorizes a city or county to irrevocably commit lands to residential uses, or provides for an irrevocable commitment of land to residential uses based upon investment in urban services.

This bill would permit a city which has adopted a housing assistance plan under federal law to make such an irrevocable commitment by adoption of a resolution if the land has been designated for residential use by zoning or rezoning or by a general or specific plan. This bill would also provide that land shall be deemed irrevocably committed to residential uses if a substantial investment has been made to provide urban services to the land by a public agency or by a private party acting pursuant to local governmental requirements, plans, or development approvals and provided the land is zoned, rezoned, or designated on the general or a specific plan for residential use.

~~(14)~~ (14) Under existing Personal Income Tax Law and Bank and Corporation Tax Law, nonowner-occupied residential dwellings are treated as capital assets and taxed accordingly.

This bill would, in addition, impose a speculation tax on the gain on the sale or exchange of a nonowner-occupied residential dwelling at a 50% rate for a residential dwelling sold less than 1 year after purchase and at a 25% rate for a residential dwelling sold more than 1 but less than 2 years after purchase. The funds resulting from such speculation tax would be ~~evenly distributed between the Mortgage Holders Property Tax Relief Fund and the Renters Property Tax Relief Fund, which would be deposited in the Housing Development Grant Fund created by this bill.~~

(15) This bill would appropriate an unspecified amount from the General Fund to reimburse local agencies for costs incurred by them under the bill.

No. 3057 - Amended April 26, 1978

An act to add Section 402.8 to the Revenue and Taxation Code, relating to taxation, ~~and making an appropriation therefor.~~

Under existing law, property is valued, for property tax assessment purposes, according to its highest and best use, unless such valuation is otherwise restricted.

This bill would specify that limitations on certain rental dwellings subject to federal contracts constitute use restrictions on such property, would establish a rebuttable presumption that the value of such property shall be consistent with such limitations, and would establish a procedure for the rebuttal of such presumption.

ASSEMBLY BILLS (Contd.)No. 3057 - (Contd.)

This bill would not, for specified reasons, appropriate ~~an unspecified~~ any amount from the General Fund to the State Controller to reimburse local agencies for costs incurred by them pursuant to this bill.

No. 3492 - Amended April 26, 1978

An act to add Section 236 to the Revenue and Taxation Code, relating to taxation.

Existing law exempts the property of various public and private entities from taxation.

This bill would provide that the property owned by ~~any public or private entity~~ the University of California which is used as a profit-making enterprise, as defined, is not exempt from taxation.

The bill would become operative upon the passage of A.C.A. //// 86.

ASSEMBLY CONSTITUTIONAL AMENDMENTNo. 78 - Amended April 27, 1978

A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16.5 to Article XVI thereof, relating to taxation.

Present constitutional provisions generally require that taxation of property be uniform and that county or municipal indebtedness be authorized by a two-thirds vote of the electorate thereof.

This measure would authorize the Legislature to empower cities, counties, and cities and counties to pledge and utilize a prescribed portion of the property tax revenues produced by real property within a business improvement district established pursuant to the Business Improvement District Law, as enacted by Assembly Bill No. //// 2810 of the 1977-78 Regular Session of the Legislature, for the purpose of financing public improvements within such business improvement district. The portion of tax revenues ~~allowable~~ allocable for such purpose would be 75% of that portion which is attributable to increases in assessed valuation occurring after establishment of the business improvement district when multiplied by the total tax rate of all taxing agencies each year. ~~Such tax allocation formula would be the same as that authorized by the Constitution for financing redevelopment.~~ Indebtedness incurred under the measure would be limited to a term of 5 years, but the Legislature would be empowered to permit extending allocation of taxes under the measure for up to 2 additional years. The measure would specify additional limitations.

This measure would also validate the provisions of legislation enacting the Business Improvement District Law.

No. 86 - Amended April 26, 1978

A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding subdivision (e) to Section 4 of Article XIII, relating to taxation.

ASSEMBLY CONSTITUTIONAL AMENDMENTS (Contd.)No. 86 - (Contd.)

The Constitution presently exempts the property of various public and private entities from taxation and authorizes the Legislature, in whole or in part, to exempt the property of other public and private entities.

This measure would authorize the Legislature to provide by law for the taxation of property owned by ~~any public or private entity~~ the University of California which is used as a profit-making enterprise.

SENATE BILLSNo. 71 - Amended April 27, 1978

An act to amend Sections 11380, 11422, and 11423 of, and to add Article 7 (commencing with Section 11450) to Chapter 4.5 of Part 1 of Division 3 of Title 2 of, the Government Code, relating to regulations of state agencies.

(1) Existing law requires, with certain exceptions, a state agency to transmit a certified copy of every regulation, as defined, adopted by it to the Office of Administrative Hearings for filing with the rules committee of each house of the Legislature.

This bill would provide, instead, that such certified copy of every regulation be transmitted to the Office of Administrative Hearings for filing with the Speaker of the Assembly, rather than the Assembly Committee on Rules.

(2) Existing law requires, with respect to a regulation or order of repeal adopted by a state agency as an emergency regulation or order of repeal pursuant to specified provisions of the law, that the finding and the statement of facts constituting the emergency and the emergency regulation or order of repeal be filed with the rules committee of each house of the Legislature.

This bill would provide, instead, that such filing be with the Speaker of the Assembly, rather than the Assembly Committee on Rules and would prohibit an emergency regulation or order of repeal from becoming effective unless within 7 days after having received such filing the Chairman of the Senate Rules Committee and the Speaker of the Assembly have notified the agency in writing of their approval of the finding and statement of facts constituting the emergency.

(3) The existing law requires that at least 30 days prior to the adoption, amendment, or repeal of a regulation by a state agency, that specified notice of the proposed action be given.

This bill would require, instead, that such notice be given 60 days prior to the adoption, amendment, or repeal of a regulation.

(4) Existing law contains no express provisions providing for the review and study of proposed regulations of a state agency by committees of the Legislature to determine if such proposed regulations are within the scope of authority vested in such agency by law.

This bill would direct the Senate Committee on Rules and the Speaker of the Assembly to refer proposed regulations of state agencies to appropriate committees of each house of the Legislature for study and review.

A committee to which such proposed regulation is assigned would be directed to determine if the state agency is acting within the scope of authority vested in the agency by law.

SENATE BILLS (Contd.)No. 71 - (Contd.)

If such a committee determines that the state agency would be exceeding its authority by adopting such proposed regulation, the chairman of such committee would be directed to notify the state agency within 30 days after receiving a notice of proposed action.

In the event that the state agency does not modify its proposed regulation in a manner which would, in the determination of the committee, bring such proposed regulation within the scope of authority vested in the agency by law, the chairman of the committee would be directed, within a specified time period, to report the committee's findings to the Senate and Assembly and recommend that a concurrent resolution disapproving such proposed regulation be adopted.

This bill would expressly provide that no proposed regulation would become effective if the Legislature adopts a concurrent resolution disapproving such proposed regulation.

The provisions of this bill would become effective only if Senate Constitutional Amendment No. 11 of the 1977-78 Regular Session of the Legislature is adopted by the electorate.

No. 1464 - Amended April 19, 1978

An act to amend Section 50286 of the Government Code, and to amend Sections 205.5, 218, 219, 273.5, 275, 276, 401, 435, 619, 619.2, 722, 1606, 1637, 2261, 2262, 2263, 2263.4, 2264, 2611.5, 4836.5, 11251, 11401, 20542 and 20543 of, and to add Sections 135, 205.1, 2217, and 2905.5 to, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Under existing law, all property subject to general property taxation is annually assessed at 25% of its full cash value.

This bill would require that such assessments be at 100% of full cash value, and would require all local agencies, as defined, to adjust their property tax rates, so that they will receive no additional revenue by reason of the change in the assessment ratio.

The bill, in addition, would make related and conforming changes, and would appropriate ~~an unspecified~~ a specified amount of money from the State General Fund to reimburse local agencies for costs incurred by them by reason of the bill.

The provisions of the bill would become operative on January 1, 1980.

No. 1490 - Amended April 24, 1978

An act to add Sections 2511, 42243.7, and 85123 to the Education Code, to amend Sections 2231, ~~2234~~, 2236, 2253, 2253.2, and ~~2253.5~~ 2253.5, and 2253.8 of, to add Sections 2206.8, 2237, 2255.1, and 2271.3 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Existing law specifies various procedures relating to claims that may be made to the State Controller for reimbursement to a local entity for costs mandated by the state.

This bill would revise such procedures and would take effect immediately as an urgency statute.

May 5, 1978

SENATE BILLS (Contd.)No. 1523 - Amended April 26, 1978

An act to amend Section 606 of the Revenue and Taxation Code, relating to taxation.

Under existing law when any tract of land is situated in two or more revenue districts, the part in each district must be separately assessed.

This bill would provide that where two or more contiguous parcels in the same tract are owned by the same individual, any parcel which is less than \$400 in full value ~~shall~~ may be combined with the contiguous parcel with the greatest assessed value.

No. 1571 - Amended April 25, 1978

An act to amend Section 408.1 of the Revenue and Taxation Code, relating to taxation.

Under existing property tax law, the county ~~property tax~~ assessor is required to maintain a list of property transfers in the county which is open to inspection by any assessee who has filed a timely application for reduction of his assessment before the local board of equalization or assessment appeals board, at the assessor's office upon payment of a specified fee.

This bill would make the list open to public inspection and revise the manner in which the assessor may establish a fee for such inspection.

No. 1654 - Amended April 25, 1978

An act to add Section 17041.7 to, and to add Chapter 2.6 (commencing with Section 23450) to Part 11 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Under existing Personal Income Tax Law and Bank and Corporation Tax Law, non-owner-occupied residential dwellings are treated as capital assets and taxed accordingly.

This bill would, in addition, impose a speculation tax on the gain on the sale or exchange of a non-owner-occupied residential dwelling ~~at a 50% rate for a residential dwelling sold less than 1 year after purchase and~~ at a 30% rate for a residential dwelling sold ~~more than 1 but less than 3~~ 2 years after purchase.

This bill would take effect immediately as a tax levy and would apply to residential dwellings acquired after September 1, 1978.

Sincerely,

Jack F. Eisenlauer

Jack F. Eisenlauer, Chief
Assessment Standards Division

JFE:sk
Enclosures